

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SCOTT BRIAN MUDFORD,

Plaintiff,

Case No. 16-cv-10104

Hon. Matthew F. Leitman

v.

ELWOOD BROWN *et al.*,

Defendants.

**ORDER GRANTING DEFENDANTS’
MOTIONS FOR SUMMARY JUDGMENT (ECF #10, 11)**

In this action, Plaintiff Scott Brian Mudford (“Plaintiff”) alleges that the Defendants, including St. Clair County Probate Judge Elwood Brown, violated his constitutional rights, including “his right to self-preservation and the right to bear arms.” (*See* Compl., ECF #1 at 1, Pg. ID 1.) It appears that Plaintiff’s claims arise out of a custody hearing in the St. Clair County Probate Court. (*See id.*) Defendants moved for summary judgment on May 31 and June 1, 2016 (the “Motions”). (*See* ECF ## 10, 11.)

On January 20, 2017, the assigned Magistrate Judge issued a Report and Recommendation recommending that the Court grant the Motions on the basis that each of the Defendants was entitled to judicial or quasi-judicial immunity (the “R&R”). (*See* ECF #17.) At the conclusion of the R&R, the Magistrate Judge

informed the parties that if they wanted to seek review of her recommendation, they needed to file specific objections with the Court within fourteen days. (*See id.* at 9-10, Pg. ID 242-43.)

Plaintiff has not filed any objections to the R&R. The failure to file objections to an R&R waives any further right to appeal. *See Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to an R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, because Plaintiff has failed to file any objections to the R&R, **IT IS HEREBY ORDERED** that the Magistrate Judge's recommendation to grant the Motions is **ADOPTED**.

IT IS FURTHER ORDERED that Defendants' Motions for Summary Judgment (ECF ## 10, 11) are **GRANTED**.

Dated: February 7, 2017

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 7, 2017, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
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